

December 3, 2004

Ms. Marlene H. Dortch
Secretary, Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Unbundled Access to Network Elements –
CC Docket No. 01-338 and WC Docket No. 04-313

Ex parte presentation pursuant to C.F.R. §1.1206(a)(1)

Dear Ms. Dortch:

CIENA Corporation (“CIENA”) met yesterday with the following members of the General Counsel’s Office: Austin Schlick, Linda Kinney, John Stanley, Christopher Killion, and William Scher. Representing CIENA were Doug Cooper and myself. During the meeting, CIENA reiterated its request, as set forth in detail in its comments in this proceeding, that the Commission not retreat from the policy of reducing or eliminating unbundling of broadband facilities and services. The removal of the previous requirements and elimination of much of the uncertainty surrounding broadband unbundling has helped spur deployment of advanced services in the United States. In addition, we urged the Commission not to reinstate line-sharing because of significant policy and legal infirmities. CIENA also encouraged the development of rules that will facilitate UNE-L entry, and indicated that its products at present can (and do) support UNE-L services offered by competitive carriers.

Respectfully submitted,

/s/
Stephen L. Goodman
Counsel for CIENA Corporation

cc: A. Schlick, L. Kinney, J. Stanley, C. Killion, W. Scher.